

# EXHIBIT 1 - Original Complaint and Affidavit

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT  
for the  
District of Oregon



Certified to be a true and correct  
copy of original filed in this District

Dated: **06/28/2023**

**MELISSA AUBIN, Clerk of Court**  
U.S. District Court of Oregon

By: **s/S. Behrends**

Pages 1 Through 10

United States of America  
v.  
EFRAIN ROBERTO DIAZ-RANGEL

Case No. 3:23-mj-00111

*Defendant(s)*

**CRIMINAL COMPLAINT  
BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 27, 2023 in the county of Multnomah in the  
       District of Oregon, the defendant(s) violated:

*Code Section*

*Offense Description*

21 U.S.C. § 841(a)(1)

Possession with the intent to distribute a controlled substance (fentanyl and heroin).

This criminal complaint is based on these facts:

See attached affidavit of Homeland Security Investigations (HSI) Special Agent McCannah Parsons.

☒ Continued on the attached sheet.

/s/ By Phone

*Complainant's signature*

**McCannah Parsons, Special Agent, HSI**

*Printed name and title*

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone at 7:42 a.m./p.m.

Date: 06/27/2023



*Stacie Beckerman*

*Judge's signature*

City and state: Portland, Oregon

**Hon. Stacie F. Beckerman, U.S. Magistrate Judge**

*Printed name and title*

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3:23-mj-00111

DISTRICT OF OREGON, ss:

AFFIDAVIT OF MECENNAH PARSONS

## **Affidavit in Support of a Criminal Complaint and Arrest Warrant**

I, McCennah Parsons, being duly sworn, do hereby depose and state as follows:

### **Introduction and Agent Background**

1. I have been employed as a Special Agent by Homeland Security Investigations (HSI) since December of 2020. I am currently assigned to the ICE/HSI Office of the Assistant Special Agent in Charge, in Portland, Oregon. Previously, I was employed as a United States Border Patrol Agent (BPA) for Department of Homeland Security, Customs and Border Protection, for more than two years in the San Diego, California area. During my tenure as a BPA, I focused on patterns of travel and investigations involving human and drug trafficking from Mexico into the United States. My formal HSI law enforcement training includes successfully completing the six (6) month basic training course at the Federal Law Enforcement Training Center in Glynco, Georgia. During the training, I learned how controlled substances are manufactured, consumed, packaged, marketed, and distributed. Since then, I have participated in multiple drug investigations involving controlled purchase operations, vehicle tracking, cell phone geo-location techniques, and pen register/trap and trace orders. I have executed search warrants, assisted in the arrest and interview of subjects, conducted physical surveillance, and utilized electronic and video surveillance. I have also worked with and consulted numerous agents and law enforcement officers who have investigated drug trafficking, firearms offenses, and financial crimes.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for **Efrain Roberto Diaz-Rangel** (hereinafter **Diaz-Rangel**), an adult male with a date of birth of

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xx/xx/1989, for the crime of Possession with Intent to Distribute a Controlled Substance (Fentanyl and Heroin), in violation of Title 21, United States Code, Section 841(a)(1).

3. I am a party to the investigation described herein. My knowledge of the matters described in this affidavit are the result of a combination of my own firsthand knowledge, review of police reports, as well as facts described to me by other law enforcement personnel assisting with the investigation. I have not included all information learned through this investigation. I have included information I believe is sufficient to establish probable cause for the criminal complaint and arrest warrant requested by this affidavit.

## Statement of Probable Cause

4. In April 2023, the Westside Interagency Narcotics Task Force (WIN) began investigating the suspected fentanyl overdose death of Adult Victim 1, which occurred in Portland, Oregon. Through the course of the investigation WIN identified a series of people involved in the distribution chain who were responsible for selling suspected counterfeit M30 Oxycodone pills manufactured with fentanyl (fentanyl pills) that were eventually consumed by Adult Victim 1 and are believed to be responsible for the overdose death of Adult Victim 1. In May 2023, WIN requested the help of Homeland Security Investigations (HSI) Portland to aid in the investigation. **Diaz-Rangel** was identified as a source of the fentanyl pills that were sold to other people and eventually consumed by Adult Victim 1.

5. Over the course of the investigation, HSI Portland and WIN utilized a confidential informant to conduct several controlled buys of counterfeit “M30” fentanyl pills from **Diaz-Rangel**. On June 20, 2023, based upon probable cause that **Diaz-Rangel** was involved in drug

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trafficking, I applied for and was subsequently granted a federal search warrant for **Diaz-Rangel**, as well as his vehicle and his residence located on NE Halsey Street in Portland, Oregon.

6. On June 27, 2023, HSI Portland agents established surveillance and watched **Diaz-Rangel** leave his residence on Halsey Street and walk toward his vehicle which was parked nearby. When **Diaz-Rangel** left the residence he was carrying a grocery bag. HSI Special Agents Chad Lindsly and Nathan Bresee, wearing Police markings, exited their government vehicle and arrested **Diaz-Rangel** and subsequently searched him and the grocery bag he was carrying. Inside the grocery bag agents found approximately 64.5 grams of suspected heroin and approximately 1,000 counterfeit blue M30 pills believed to be manufactured with fentanyl. The pills were found packaged in multiple smaller bags with each bag containing between approximately 20 to 100 pills. The bags of pills weighed, in total, approximately 112.5 grams. The suspected heroin was subject to a NIK field test which confirmed the presence of heroin, a Schedule I controlled substance. Investigators also tested a sample of the blue M30 pills with a field test which confirmed the presence of fentanyl, a Schedule II controlled substance. On **Diaz-Rangel**, within his wallet, agents found his National Electoral Institute Credential to Vote card which contained his name, date of birth, and picture. On **Diaz-Rangel**, agents also located two cellular phones and a set of keys which we later discovered unlocked the safe that was found in **Diaz-Rangel's** bedroom closet, as noted below.

7. After **Diaz-Rangel** was arrested, HSI Special Agents and WIN deputies (the investigators) then executed the federal search warrant on **Diaz-Rangel's** residence. Inside the residence agents found an adult female and her two small children. The adult female told

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investigators she rented a room to **Diaz-Rangel** and she was unaware of any drug activity or how he spent his time. The adult female identified which room belonged to **Diaz-Rangel**.

8. During the search of **Diaz-Rangel**'s room investigators located the following items:

- Under **Diaz-Rangel**'s bed investigators found a shoebox that contained multiple bags filled, in total, with an estimated 30,000 blue M30 pills. The bags containing the blue M30 pills weighed approximately 2,721.5 grams. Investigators used a field test that confirmed that a sample of the blue M30 pills contained fentanyl. A picture of the seized pills is below:



- Under the bed, in a gray bag, investigators found approximately \$10,339 in cash. A picture is below:

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- Inside a safe that was found in **Diaz-Rangel's** room investigators found a white bag containing multiple smaller bags that were all filled with a brown substance, believed to be heroin. A sample of the brown substance was subject to a NIK field test which confirmed the presence of heroin, a Schedule I controlled substance. The bags of heroin weighed approximately 1,433 grams. A picture is below:





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- Also found inside the safe in **Diaz-Rangel's** room investigators located a brick of suspected heroin that was wrapped in plastic. A sample of the suspected heroin was tested with a NIK field test which confirmed the presence of heroin. The brick of heroin weighed approximately 500.6 grams. Picture below:



- Inside the safe investigators also located a small bag containing approximately 50 to 100 pills, some of which were partially crushed and weighed approximately 12 grams. The contents of this bag were not subject to a field test.

9. After **Diaz-Rangel** was arrested his fingerprints were run in a law enforcement data base and we were able to confirm his true identity as **Diaz-Rangel**. **Diaz-Rangel** was determined to be a citizen of Mexico who was encountered twice in October 2022 by the United States Border Patrol and voluntarily returned to Mexico. During these encounters photographs of **Diaz-Rangel** were taken and they matched the person we had in custody.

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10. In my training and experience the amounts of controlled substances (fentanyl and heroin), pre-packaged as they were found on **Diaz-Rangel's** person and throughout his bedroom, are clear indications of someone who is distributing the controlled substances.

11. I know that drug traffickers are increasingly selling counterfeit M30 prescription pills that are manufactured with fentanyl, a Schedule II controlled substance. These counterfeit pills are designed to replicate real 30 mg Oxycodone pills, which are round, blue in color, and stamped with an "M" and "30" on them and weigh approximately 1/10<sup>th</sup> of a gram. I have seen and seized tens of thousands of these counterfeit M30 pills and both field tests and forensic laboratory analysis conducted on samples of these pills have confirmed the presence of fentanyl within them. I know a typical user of fentanyl will either buy powdered fentanyl or counterfeit M30 pills that they will then crush and burn on a piece of tin foil and inhale the smoke. These pills can sell on the street to a user for as little as \$2 a pill. Depending on their level of addiction, I know that a typical fentanyl user buying pills may buy and use between one (1) and 20 pills a day, and sometimes more. I also know that dealers of pills will often buy pills in bulk quantities and then repackage the pills into smaller quantities. I know that a person possessing approximately 1,000 suspected M30 fentanyl pills (or more) does not possess these pills for personal use but rather such a quantity indicates that they are possessed for purposes of further distribution.

12. I know, based upon my training and experience, that heroin is typically used in quantities around one-tenth (.1) of a gram (sometimes called a "point") and is either injected intravenously or smoked. I know a gram of heroin on the street can sell for around \$50. Accordingly, I know that a person possessing approximately 64 grams (or more) of heroin does



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not possess it for personal use but rather such a quantity indicates that it is possessed for purposes of further distribution.

13. The drugs that were seized are pictured below:



## Conclusion

14. Based on the foregoing, and based on my training and experience, I have probable cause to believe, and do believe, that **Diaz-Rangel** committed the crime of possession with the intent to distribute a controlled substance (fentanyl and heroin), in violation of Title 21, United States Code, Section 841(a)(1).

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15. This affidavit, and the requested arrest warrant were reviewed by Assistant United States Attorney (AUSA) Scott Kerin prior to being submitted to the Court. AUSA Kerin informed me that in his opinion, the affidavit is legally and factually sufficient to establish probable cause to support the issuance of the requested complaint and arrest warrant. I respectfully request the Court to authorize the attached arrest warrant based on this complaint.

/s/ *By phone*

McCannah Parsons, Special Agent  
Homeland Security Investigations

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone  
at 7:42 a.m./p.m. on June 27, 2023.



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Honorable Stacie F. Beckerman  
U.S. Magistrate Judge